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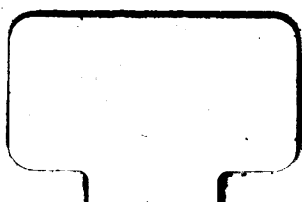
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ADDRESS AND POEM

DELIVERED BEFORE THE

ASSOCIATE CHAPTERS

OF THE

SIGMA PHI FRATERNITY,

AT THEIR GENERAL CONVENTION

HELD IN WILLIAMSTOWN, MASS.

AUGUST 16, 1853.



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ADDRESS,

BY

THOMAS T. DAVIS,

OF THE BETA OF NEW YORK.

#87602- Withdrawn

A D D R E S S .

GENTLEMEN OF THE SIGMA PHI:

I propose to address you to-day, on the theme of Civil Liberty in England and our own country ; to sketch its history, to speak of its value, and to present some considerations which should bind you to its support *here*, under the UNION and the CONSTITUTION.

This subject, not specially appropriate perhaps to a literary occasion, I have selected, because I deem it well that they to whom, from education and position, the destinies of the Republic may soon be committed, should bear in mind the dangers which threaten and the fortunes which await it.

Civil Liberty in England was the child of Civil Despotism,—the offspring of that oppression which the leader of the conquest visited alike upon the Saxon victim and the Norman victor. As the head of the army, William directed all military power ; as the head of the state, he claimed not only the sovereignty but the *title* of the soil. He appropriated the forests to the chase for his exclusive pleasure, and divided the fair fields of England into military fiefs, to be distributed as the rewards of prowess and devotion. The Norman barons held estates limited by his favor. The church, governed by Roman legates and imported priests, became his instrument ; the courts pronounced no judgment, save subject to his review and reversal ; the person of the

highest in the realm was thus subjected to his control, and a tyranny more exacting than any which England since has suffered, testified to the Norman and Saxon race, that throughout every rank and department of society, liberty breathed not, save for him who, at the head of all, sat despotic and alone.

The oppression of the two races, merging their mutual hatred, created a desire for union and resistance ; and though not in William's time, nor in that of his immediate successor, did its fruits appear, still scarcely forty years had elapsed from the conquest, when Henry I. yielded to the stern demand of a united people, concessions essential to the security of his crown. He repealed the obnoxious forest laws, granted greater facilities to the alienation and just descent of estates, greater security to property, greater liberty to the person, and relaxed the rigors of the feudal service. The very tyranny of William resulted in that Norman and Saxon union, by which these first restraints were placed on the prerogative of kings. Had William been generous to the Saxon blood, had he been just to those whose valor won for him the field of Hastings, perchance e'en now, a Norman prince might wear Victoria's crown, and the dukes of Northumberland and Kent claim feudal service from men as servile as Russian vassals.

Next came the triumph of the Magna Charta, not as the gift, but as the necessity of monarchy. It was an important but not a perfect acknowledgment of popular right. The right to be FREE, existing from the first organization of society as a fundamental and glorious truth, had been forgotten amid the ignorance and violence of the world's earlier history ; not even the great charter, nor the great revolution, brought it perfectly to the recollection of mankind. It was destined to a complete development, only in those nearer times of which there are yet living witnesses, when on our own shores, they of our own blood asserted the absolute

liberty of men to elect their own rulers, and to determine the laws by which those rulers should be controlled.

The Magna Charta was a popular victory over prerogative ; it confirmed and extended the privileges extorted from Henry I., and gave to each the sacred right of trial by his peers ; but it was more a victory in theory than in practical results. Despotism in the days of John, the Tudors, and the Stuarts, was what Absolutism now is, where Napoleon issues his edicts on the Seine, and Nicholas marshals his Cossacks on the Danube. It never breathed the first sentiment of freedom, and it never will. The history of Europe, and especially of England, from the reign of John to the accession of William and Mary, is often but the story of a contest between right and prerogative, in which prerogative sought to regain conceded power, or to compensate itself for the loss of one, by the acquisition of another. Edward I. promised to his people relief from immoderate imports. War with Wales, war with France, war for the crown of Bruce, brought ruinous taxation and wide-spread distress. The nobles murmured and remonstrated ; they were rich and powerful, and before their united strength even the valiant and wily monarch, unaided by other classes, might fall discomfited. Edward decreed the election of popular representatives, to consult with the lords and the crown, on the affairs of the kingdom. But that act which resulted in the final establishment and paramount authority of the House of Commons, was dictated by no love of liberty or liberality ; it was a measure of *policy* to crush the refractory spirit of the nobles, by bringing to the aid of the throne a new class of men, whose importance and dignity should be due only to royal grace, and who, as the creatures of Edward's power, should yield passive obedience to his will. Edward's is not the only reign, nor England the only country, in which rank and office have converted even the opponents of a government, into its most obsequious tools.

But whatever was the motive of Edward, the assembly thus created became in time a most important feature in the British government ; it gave the people representation and a voice,—that voice, first heard only as a still small voice, became gradually greater in its power and deeper in its tone, till it startled tyranny from its dream, and proclaimed throughout the British Isles, that the majesty of the PEOPLE was greater than the majesty of KINGS, and that the sovereignty of kings was but the delegated SOVEREIGNTY OF THE PEOPLE.

There was yet, however, to be a long and fearful struggle, before the theory of the divine right of kings to govern, and the divine duty of the people to obey, was to be discarded. Despotism, assailed by the spirit of freedom, found a new ally, and the Church, which the Redeemer planted for the enfranchisement of the physical and intellectual man, cast the ligatures of superstitious fear around the mind, while civil authority bound the body, and Church and State together, tortured and burned for political and religious heresy, on joint account of profits and glory !

Rome, in her spiritual dominion, sprang up from the soil which martyrdom had consecrated with a divine faith and an immortal devotion. The purity of her youth faded away in the increase of her years ; pomp and pride lighted the censers of her worship, and anthems due to Heaven alone, were chanted in honor of her saints and her priesthood. Standing by the gates of Paradise, she claimed the custody of its portals ; admitting the believer to its rest, but consigning to perdition all who denied the infallibility of the church, or the supremacy of princes. The vicegerent of Heaven became the sovereign of kings, and potentate and subject owned obedience to a power which held the life hereafter in its hand, and by its judgment in this world, fixed the destiny of mortals in the next. It was not strange that a system founded on false ideas of political power,

should seek alliance with another system, based on the hopes and fears of a future being, and which, while it exacted homage from kings, might for them enforce obedience from subjects. Nor was it strange that the spiritual should conciliate the temporal power, that thus the two, conscious perhaps of mutual infirmities, might aid and abet each other, in the suppression of political and spiritual independence. Thus Civil Freedom, based on principles older than Rome, and coeval with society, had yet to struggle with things temporal and things spiritual, until the nations, incapable of longer endurance, revolted first against the despotism of the church, and then against the tyranny of the throne. Luther lived. Jura and the Alps were tinged with the dawning rays of the Reformation; the gilded robes of a corrupt hierarchy were torn away; Heaven was entered by a countersign which Rome knew not; and that mighty power, which, spanning the earth from the Eastern Indies to the Western Isles, overshadowed its empires,—which in every former combat with the rulers of the world had come off more than conqueror,—was humbled and broken, before the high purpose and the unwavering faith of a lowly monk, who, with Truth for his weapon and Heaven for his shield, went forth amid beleaguering foes, to do proud service for FREEDOM and for MAN.

The indignant protest uttered in the fourteenth century by Wickliffe against Rome, had not been everywhere forgotten, and even before the rise of Luther, there were those in Britain who sighed for emancipation from the spiritual supremacy of Popes Pius and Popes *impious*. When, therefore, the strife began between the Papacy and Luther, the believers in Wickliffe, and all who saw danger in the foreign domination, sympathized with the Reformer and his cause.

Henry VIII. was a papist, and according to Leo a good one. He waged with Luther a polemical war in behalf of Rome and the real presence. The campaign ended, Henry

survived his wounds, and in lieu of a pension, asked a divorce from his wife! The refusal of the demand, separated England from Italy. A new and independent church arose by royal command; the monasteries of the old establishment were plundered to enrich the new; Henry assumed the spiritual authority of the pontiff, claiming the power to forgive sins and exercising the right to commit them. The proud father of Elizabeth felt that ambition might mingle with revenge, and an establishment independent of Rome, but exercising her powers and succeeding to her spiritual dominion, might give greater strength to the monarchy itself. Although the doctrines of the Reformation were spreading upon the continent, and found followers in England, Henry well knew that many, perhaps a majority of his subjects, felt a sincere and an honorable attachment to that venerable system of faith, whose foundations were laid by the saints and the apostles, and whose service had been sung around the long mouldered temples of Athens and Ephesus, while yet their Parian columns rose fresh and stainless from the sculptor's hand. They loved the splendid ceremonial of her courts, the mysteries of her sacrifices, the pageantry of her celebrations, and rested their hopes of eternal blessedness on her omnipotent intercession. And Henry knew, too, that another class in his kingdom were the friends of the Reformer, believing, with Wickliffe, that pure and undefiled Christianity needed neither the exaction nor the persecution of the state to support it. Yet, upon a very singular principle of ethics, the believer in the supremacy of Rome, and the believer in the doctrines of the Reformation, were subjected to a *religious* test as proof of *political* orthodoxy. Conformity to the worship, and belief in the doctrines, of Henry's church, were the only and essential evidences of loyalty to Henry's throne, and woe to him who was tried and found wanting.

The policy of Henry became the policy of Elizabeth.

She loved Rome *less*, only because she loved Elizabeth *more*. The Church of England was made the instrument to uphold her temporal dominion. Political dissent and religious dissent, she punished with a severity scarcely excusable, even in a woman, although she inherited the crown of the Edwards, and bound upon her brow the tiara of the Pontiffs. Yet her reign, sullied as it was by the murder of Essex whom she loved, and Mary whom she hated, was a glorious reign, reflecting the highest honor on the talents of Burleigh and the administrative capacity of the virgin Queen ; and England, under her skillful guidance, took rank at the head of the Protestant world and made her name a refuge and a tower.

Indeed, the days of Elizabeth seemed to be associated with, or the harbinger of, great events in the world's history and progress. Already the invention of Faustus was spreading its influences through Central and Southern Europe, and preparing for a day which should illumine their darkness. Shakespeare, probing the heart of human nature to its very core, taught the value of its noble sentiments, its kindly sympathies, and gave warning of its debasing passions ; and it remained for Bacon, applying the inductive philosophy of Aristotle to the useful arts and purposes of life, to proclaim through the press how the productiveness of labor might be multiplied, how life might be protected, pain assuaged, danger avoided, sickness averted, how existence might be surrounded with comforts, how knowledge might be increased,—how man might be elevated to a higher position and a nobler destiny. Physical advancement contributed to intellectual progress. The lyre of Milton, touched by an *unseen* hand, gave forth its immortal strains ; and the genius of Newton dawned at last upon the world, revealing the laws of light and of motion, weighing the earth, the air, the sea, and the rolling planets, in the balance, and, from the

deep obscurity of unmeasured space, calling the unknown stars within the magic circle of his gaze.

And man, thus elevated by philosophy and enlightened by science, dared to ask of his intellect,—to demand of his reason, why the thousands and millions of men, who tilled the fields, who worked the looms, who sweat at the forge, who ploughed the ocean, or far down beneath it, toiled for the treasures of the mine ; possessed with emotions of love and hope and fear, susceptible of pleasure and sensitive to pain, lived in servile bondage to a favored few, who, idly dwelling in palaces which the industry of others reared, and reveling in magnificence for which the labor of others paid, were, like other mortals, subject to all the caprices and weaknesses of nature, its diseases, its passions and excesses, rendering no equivalent for difference in position but a rigorous rule, and offering for it no apology save the *right of kings*. And there came a whisper from the spirit of the Reformation, saying, that men who were equal before Heaven, were equal before each other, endowed with the same rights of nature, and assured of the same promises of the Highest.

Civil freedom was the great corollary which resulted from spiritual emancipation ; and although it was neither conceded by the church nor admitted by the crown, still it was a truth treasured in the heart, circulating in the blood and operating in the life. Despotism knew that it was true; and sought by destroying the premises to avoid the conclusion. France tried it in the bloody massacre of St. Bartholomew, England by the prison, the rack and the torture. The Huguenot and the Dissenter cherished the heresy, incurable save by conformity, exile or death. The new world offered itself a refuge ; the Huguenot, who escaped the daggers of Guise and Catharine de Medici, sought safety and repose in the sunny clime of Carolina,

while the Puritan, driven by religious rancor and the wintry wave, planted on the shores of New England the seeds of new institutions, where tyranny might fail to find and to destroy them.

The condition of England, from the time of Elizabeth to the great Revolution, seemed well designed to people these far-off shores with men weary of oppression, weary of strife, weary of blood, and to rear, amid the departing gloom and the broken solitude of the forest, the temples of religion and the altars of liberty. When Charles I. sought to roll back the advancing tide of popular and liberal opinions, and to seize in the very halls of Parliament the representatives of the people, the speaker placed his hand upon his sword, and the members of the house assumed a bolder bearing, as their thoughts turned beyond the western wave, to a land which monarchs' foot had never trod, where the privations of an inhospitable shore were compensated by the absence of oppression. And when the civil war, which cost Charles his throne and his life, sounded its clarions from Land's End to the Tweed, and cavalier and round-head trampled in deadly conflict the fields of Worcester and Naseby, they who hated the violence, the sorrows and the wretchedness of that fearful time, sought a more peaceful home amid the pilgrims of New England or the sons of the Huguenots.

The fall of the house of Stuart was followed by the execrable tyranny of the Commons. Liberty was wounded in the house of its friends. Members, elected to guard the people against the encroachments of the royal power, rightfully impeached the accomplished but unprincipled Strafford for treason, and he fell by the perfidy of Charles, for whom alone he had become a traitor. With more doubtful right they brought Charles to trial for violations of the Constitution, and he was beheaded; and then, as if by destroying the monarchy they had released themselves from all responsibility, they trampled upon the law of their appointment,

violated every other law to which obedience was due, and fell at last beneath the seasonable rigor of military usurpation. Had Hampden, the fearless patriot, the daring warrior, the sagacious counsellor, and the stainless Christian, survived the field on which he fell, he might have been to England what Washington, surviving the defeat of Braddock, became to us. His commanding presence might have restrained a lawless Parliament, and secured the liberties of the people, alike against tyranny and license. England then had inherited neither the glories nor the crimes of Cromwell, nor Ireland wept beneath his cruel hand. But the hopes and the prayers of the patriot faltered at Hampden's tomb, and still before England lay a waste of years, to be traversed in sorrow and humiliation, before the hour of her deliverance should come on the wings of the morning.*

Cromwell sat on the throne of the conqueror. He too, repudiated the republican professions which raised him from obscurity to power, prostituted the abilities of a mighty genius to a questionable ambition, and the nation sought relief from the anarchy which preceded, and the rigor which characterized his administration, under the demoralizing sway of Charles II. Thus, under the Parliament, under Cromwell, and again under Charles, controlled by the moral and political condition of the state, the tide of settlement moved onward to New England and the South; and when the vengeance of the son for the father's fall, stopped not at the grave of the regicides, but sent Sidney and Russell and Vane to the scaffold, without legal evidence of guilt and with but the mockery of a trial, the caves of Connecticut, and the woods of Massachusetts, became an asylum for the informer and bailiff; and the fields of New England were tilled by

* As the day dawned on the fourth of November, 1688, the Dutch fleet, bearing the Prince of Orange, appeared in full view off the Isle of Wight, though the landing of the troops at Torbay was not effected until the fifth at noon.

new emigrants, whose descendants, taught by the story of their suffering ancestry, stood boldly up for freedom, at Lexington and Concord and Charlestown.

Nor could the settlements of Pennsylvania, Maryland, Delaware and Virginia, though early flattered by a monarch's smile, resist the breath of Freedom which came to them on the Northern breeze or in the South wind's sigh; and while England demanded conformity to her church as evidence of loyal purpose, the exiles from her shores became the lukewarm subjects or the secret opponents of her empire.

Nor did the reign of James II. produce an alteration in the condition of the Colonies, although it wrought a change in England which has given color to the history of the world. Rome withdrew from the contest with Luther, vanquished, and bleeding from an hundred wounds. In half a century, the principles of the Reformation had gained ascendancy in England and Scotland, in Northern Europe, in Germany, Switzerland, Savoy, and beneath the shadow of the Pyrenees. Rome, meantime, devoted herself to the healing of her wounds and the purifying of her blood. In another fifty years, she had almost *reformed* the Reformation, and more than half the territory which the religion of Luther had wrested from her domains reposed beneath her sway. With a covetous eye, Rome looked to England and to James. A Catholic king might restore even the lost lamb to the fold. And James, the last and weakest of his line, subservient to Rome and enamored of her praise, against the settled conscience of the nation, and in violation of the law of settlement and succession, attempted to abolish the Protestant and established religion, and present his people a grateful offering to the successor of St. Peter. Catholic kings and Protestant kings, puritanical Parliaments and a dissimulating Protectorate, failed to save England from continued severity and intolerance. Promises had been made by all, and bound none. Churchmen, Presbyterians, Baptists, Independents,

and even moderate Romanists, satisfied that no safety existed for the State under any power which did not recognize the authority of the People as the ground of its being, drove the last tyrant from the realm, and raised William and Mary to the throne.

The Revolution was triumphant and complete. James fell with no sword drawn in his defence, and no prayer offered for his protection. A prince receiving the crown, with reasonable limitations of power, did not seek to violate them. England was free; proscription and persecution ceased; the church, bearing no longer the faggot or the sword, clothed herself with the robes of innocence, and became, instead of the minister of vengeance, the messenger of mercy. Thus the Revolution of 1688 modified the character of the Government, and gave a new impulse to society in its moral as well as its political tendencies.

The Revolution produced also its effect on the relations of the Colonies with Britain. The early settlements in the Colonies, arose generally under the political neglect of the Imperial Government. To the colonists themselves, the formalities of a charter availed nothing, except as a means of avoiding those legal questions which might otherwise arise, between the powers of the old world, as to the sovereignty of the unsettled portions of the new. A charter, therefore, under the great seal of England, defining the physical limits in which its powers were to be exercised, conferred no benefits to the colonists, save in reference to those boundaries, for which the protection of the home government, in case of interference, might reasonably be expected and invoked. The parent Government furnished no supplies, paid no expenses, gave no encouragement; nor did the Colonies desire it. It simply lent the authority of its name and its claim of jurisdiction, to those who dared the perils of the ocean and the wilderness. Massachusetts had long maintained the charter of its own devising. Connecticut

had refused to submit to the control of James II., or even to produce the charter under which its sovereignty was exercised. Carolina had forever repudiated a loyal system of government devised by Locke the philosopher, and sanctioned by Shaftesbury, the patron of philosophy. Virginia and other Colonies had given strong evidence of insubordination to royal Governors, whose attentions increased, only in the ratio of the plunder to be secured, and there existed, for more than a century before our Revolution, a secret and growing anxiety to be free.

But arts and manufactures had revived in England. Commerce, encouraged by a more settled government, began to spread its wings upon the wave, and English merchants regarded the new world, with its growing Colonies, as a market which they might enjoy and monopolize. The dependence of America, therefore, became to the mercantile classes a matter of interest, and the sovereignty of an empire already stretching far westward from the Atlantic, and inviting population by the fertility of its soil, became to the Government itself a matter of interest and pride.

Catholic France, the old enemy of England, had planted her outposts from the frowning batteries of Quebec to the lakes and the Ohio. With bitter recollection of the days when her gorgeous lilies fell withered at Ramilies and Blenheim, she waited but the favorable hour to wrest from England her Eastern Empire, and crush her hopes of dominion in the Western World. Nor was there long delay. War raged upon the Hoogly and the Ganges. Its cry was heard on the mirrored waters of Champlain. It mingled with the murmurs of the Alleghany.

France waged war with England on our soil. The humiliation of England would have been disastrous to our political rights as well as to the Protestant religion. Sympathy in that religion as against the pretensions of Rome, unity of language, unity of blood, common interests and common

dangers, made common cause between the Colonies and Britain. The colonists opened their coffers, emptied their granaries, and armed their warriors, that the Protestant cause and the arms of England might triumph over France and her power.* The influence acquired by England in a victorious war was retained at its close, and the very poverty which resulted from colonial sacrifices and exertion was made an instrument for colonial subjection.

But I must not enlarge upon that policy which drove us to resistance and revolution. Restrictions upon commerce, exports, imports and manufactures, taxes levied without representation and collected without consent, the insolence of royal representatives, the neglect of petitions and remonstrances, drove us from Britain to independence. That was a solemn and a glorious hour, which reclaimed from the oblivious past a forgotten truth, and, that it might never die, engraved on the throbbing heart, that "all men are by nature free and equal;" which denied the false assumption of hereditary supremacy, and witnessed the marshaling of the patriot band to conquer or to fall.

I shall not follow now in the path of that conflict. I need not lead you to its scenes of suffering or its fields of triumph, for *there*, looking down on us to-day, stand those old mountains which gazed on Bennington, and caught the echoes of Saratoga, the silent witnesses of privation and danger and death, freely braved and bravely suffered, that *they* might never cast their shadows upon slaves! †

* In 1759, Massachusetts imposed a heavy tax to defray the expenses of the war. It was continued for several years. In a single year it amounted, on the income of personal estate, to more than sixty per cent, and to thirty-six per cent on the income of real estate. Beside this, there was levied a tax of nineteen shillings on every male over sixteen years. Connecticut and other colonies subjected themselves to burthens equally onerous.

† Williamstown is surrounded by the peaks of the Green Mountain range, from the nearest of which Bennington is about twelve miles distant and Saratoga about sixty miles.

Go where you will, from the green forests of the eastern State, to the spot where Ponce de Leon first gazed upon our shores, and where, from the stone upon some patriot's grave, may you not learn the story of devotion and fidelity amid the trials and sacrifices of the Revolution? And when the Revolution is complete, and the Constitution which it gave supreme, go through the majestic West, go where commerce accumulates its wealth, where art erects its workshops, science its halls, justice its courts and religion its shrines, and tell me if you find not testimony to the value of that Constitution, and the Liberty wherewith it maketh free.

The Constitution knows no sovereignty save that which created it; it recognizes no title of nobility; it owns no rank or office which the humblest may not reach; it rears no palace where the poorest may not dwell; it elevates no subject above its power; it casts none down beneath its protection; it upholds the independence of religious faith; it secures property and person and character; it sanctions the liberty of the press; it makes its officers elective and responsible; it engraves on its highest pinnacle that sentiment which is inscribed upon its corner-stone, "All men are by nature free and equal."

The results of the Constitution have been as elevating as its objects. Its highest honors have crowned men of the lowliest birth; the press, unfettered, has not been licentious; religion, protected in all its forms, has uttered from the pulpit its divine teachings, and the countless spires which are honored in her service stand as the sentinels of truth and liberty.

Under the influence of a free Constitution, public generosity and private benevolence have enlarged the sphere and the objects of education. The American school-boy of to-day has been made wiser than the magi of the East, and from him Pliny might take lessons in natural science, and Socrates and Plato in philosophy. In the higher departments of

learning, Yale and Harvard, Amherst and Williams, and kindred institutions attest the munificence which has endowed or adorned them. The same influences have elicited the enterprise and inventive genius of our countrymen, in the arts of life. Cities greater than Tyre have risen from the foam of our waterfalls, as Venus from the sea, enriching industrious toil by their gainful thrift, and clothing the poor and dependent with fabrics as beautiful as those with which Tyrian art adorned the monarchs of Judea.

And Enterprise, taking a wider range, has leveled or pierced the barriers of nature, opening the iron race-course to the fiery steed; and even now, through the wild gorges of New England, through the valleys of New York and Ohio, and over the boundless prairies of the West, the thundering cars roll on, bearing the treasures of labor and of life. And American genius triumphs yet again through that mysterious agency, which at the same instant, with an hundred tongues, tells in the markets of the metropolis, St. Louis and New Orleans, and throughout the Union, the events which have scarcely happened in the place of their origin. The ocean too, for the same great purpose of intercommunication, has been bound to the Western floods, and the great canals, bearing an untold commerce from State to State, stretch onward, burnished by the setting sun, as golden bands of unity and peace.

Scientific investigation has taught to the mariner the currents of the sea, the theory of the winds, and the on-coming of the storm. History points with honorable pride to Prescott and to Irving, while the genius of Sculpture, placing the chiseled marbles of Powers and Greenough, side by side, with the highest trophies of Grecian art, challenges comparison, nor fears it.

But I can glance at few only of the results which have been here accomplished for society and humanity, under the beneficent influences of the Constitution. I point not to the

public institutions which feed the hungry, clothe the naked, heal the sick, give hearing to the dumb, and vision to the blind. I point not to the emblems of religious faith, which zeal for the ignorant and the sinful wafts upon the ocean and plants on the hills of Palestine, or amid the jungles of Hindostan. These may tell their triumphs on another day and in another world.

These are but the first fruits of the Constitution. Not yet do we behold the end of the beginning. Let half a century roll on,—the highway from Europe to the Indies, turning westward, traverse the Union to the Pacific,—let the wealth of China and the East be poured upon our shores, then teeming with more than Europe's population,—let the national enterprise continue to develop our riches and our power, and intelligence and art and virtue keep pace with population, and you may then begin to estimate the value of Constitutional Liberty.

But amid all the advances which have hitherto been made, and amid the abundant promises of a glorious future, there breathes a spirit of dissatisfaction, because the Constitution which destroyed Tyranny restrains Fanaticism.

There are those who forget that civil freedom has been the growth of struggling centuries, who enjoy its immunities, unmindful that they are due to that spirit of resistance to arbitrary power, which contested with Prerogative the battle-fields of England, as well as to the triumphs of Stillwater and Yorktown; and that true progress is always guided by the reason and judgment of man. Discarding these, however, and mistaking the vagaries of the imagination for the deductions of common sense, they become rabid because reason and judgment stand as the guardians of the Constitution, asserting that the hour has not yet come, when society can be safe with no other protection than the unregulated and distempered conscience of visionaries and experimentalists.

In a land where obedience to laws enacted for the people by their own immediate representatives, is a cardinal article of political faith, men who actually profess themselves *sane*, tell you that no statute which the conscience does not approve, imposes the slightest obligation to regard it; thus divesting legislation of its essential power to bind all by its enactments, and leaving resistance or obedience to the election of every man; and they tell us of the happiness of this land when these principles shall prevail.

And I have searched earth's kingdoms and its hiding places, to learn if perchance, in some one spot, there exists that freedom which is the dream of such enthusiasm. It is not where the Ural divides Europe from Asia without marking the limits of an empire; for the frosts which bind Siberia and Alaska in an eternal winter, are not more fatal to the budding spring, than to the flowers of Liberty, that serene Despotism which, even now, seeking to extend its sway beyond the Bosphorus, speaks life or death to an hundred millions of the world's inhabitants. Nor is it where the pyramids look down in sad and reproachful silence on the unrequited toil of Egypt's bondmen; nor where Venice sits upon the sea; nor where Rome, holding spiritual sway over the degenerate sons of Scipio and Regulus, mourns amid her crumbling monuments,

"The lone Mother of dead Empires;"

for a tyranny worse than the Cæsars, guards the Delta of the Nile, broods upon the Adriatic, and enshrouds the Capitol. Nor can it be found in Spain, or Portugal, or France, or the Germanic States, nor where

"Freedom shrieked as Kosciusko fell;"

for everywhere, the black and blood-stained memorials of absolute power, reared amid the general ignorance and darkness of the popular mind, tell you but of vassalage and

oppression. Nor yet in Western Africa, nor on the La Plata, the Amazon or the Orinoco, is the search successful ; for there, Anarchy is the sovereign ruler, and Liberty but the guerdon of the strongest. It is not in England ; for there hereditary monarchy, hereditary nobility, the right of primogeniture, pensioned titles, unearned tithes, and untaught operatives, prove that even England, with all the privileges of her Constitution, knows not that freedom which springs from popular intelligence and popular supremacy. There is, then, no such liberty on earth, and none such will be found in Heaven, for

" Order is Heaven's first law."

I turn again to the land where the regulated liberty of the Constitution has been proclaimed, and I ask of Fanaticism, where else has civil government, with so few evils, conferred so many blessings ? Where in the history of man, in the short period of a single life, have so great advances been attained in all which elevates and dignifies humanity ?

The Constitution may be imperfect ; it was made by imperfect men ; it was made for imperfect men ; yet, while it subserves the great purposes of its being, by diffusing unequaled light, and unequaled liberty, let us stand for its protection, assured that the imperfections which time and reason may reveal, time and reason will remove.

The Constitution will stand ; for the young will revere it and will guard it. Fanaticism may assail it ; it may even spit upon the robes of liberty, in the spot where liberty was cradled ; but the Constitution shall stand, and New England shall be free, till tyrant's nod may stay the winds among her mountain pines, or chain the surf which beats upon her shores. A false philosophy, dethroning reason and discarding judgment, may seek to teach us by its impious speculations, proclaiming the conscience of every man his only and supreme law, overreaching the statutes of legislation, the

authority of the Constitution and the first principles of social organization ; but the Constitution shall stand. Political jealousy may attack it, may assert the sovereignty of the States above the supremacy of the Constitution, may talk of sedition, of secession and civil war ; but a conservative and enlightened sentiment shall confound the treason, the Constitution shall stand, and Civil Liberty hang out her banners from its towers.

Liberty may indeed be endangered by neglect ; the springs of public virtue may be vitiated, political corruption and infidelity may bear temporary sway, but I cannot, I will not believe that that Providence, which led our fathers from the injustice and oppression of the old world, and brought them to these shores as a peculiar people ; which, in their desert journey of thrice forty years, gave them its guidance and carried them at last through a fearful revolution to a glorious independence, will desert their country or their children.

I stand before you here, a son of New England, upon the soil of Massachusetts. The ashes of Warren, of Adams, and Hancock, are mingled with that soil ; the graves of New England's martyrs are green in her church-yards and on her battle-fields ; nor will her sons, while that dust is treasured or those graves are green, forget their parentage or disgrace their ancestry.

The present condition of society teaches that advancement in the arts, the uses and the happiness of life, is commensurate, and only commensurate, with the degree of rational liberty, general intelligence and virtue possessed. You see England alone, of all foreign nations, rising proudly above the surges of an on-rolling despotism, sustained by the intelligence and virtue of her people and the liberty of her Constitution ; and I submit to you, whether the superior rights secured to you by the peculiar providences of more than two hundred years, under that form of government

which may stand, though England sink beneath the wave, are not worth preserving.

The sires of our Liberty and our Constitution have departed ; they have left to the young, who follow them, the performance of their duties and the mantle of their glories. Go forth, then, from these classic halls, the friends and the advocates of their faith ; suffer not the seductions of an unsound philosophy, nor the perversions of a blind fanaticism. Be faithful to Heaven and to your trust ; and, though present darkness may overcast the sky, be not afraid, for the day shall yet dawn, when Freedom, triumphant and secure in the home of its birth, lending its ministry to other lands, shall gently lift from earth's oppressed nations,

— “ the world's broken chain.”

POEM,

BY

E. W. B. CANNING,

OF THE ALPHA OF MASSACHUSETTS.

P O E M .

“Eheu! fugaces, Posthume, Posthume!
Labuntur anni.”

Hor. Od. Lib. II. xiv.

So sang the winy Flaccus, when proud Rome,
With the ten thousand princely sots she held,
Was younger far than now. His goblet brimmed
With rich Falernian, vaulted, racked and sealed
In some forgotten consulate, and brow
With Pæstum's roses bound, luxurious lolled
The sensual bard, and sipped, and quaffed, and drained,
Till genius, reeling and intoxicate,
Its wild iambics poured and slept in song.
Yet when within the liquid mirror held
So oft before him, with a soberer glance,
He saw the frequent lines of gathering years ;
When from beneath the festive garland strayed
The blanching lock—sad tell-tale of decay—
“Eheu, fugaces!” wailed the dactyls on.

The lengthened echo of that lone lament
Hath never yet been hushed. Each year hath caught,
And each transmitted to the next the tone,

Like hill-top answering hill-top. And though we
 Steep not the soul in spicy Massican,
 Nor revel reason to forgetfulness,
 Still, as the tale he read within his cup
 Prompted the giddy Roman to bewail
 Departing years, so doth this happy hour
 Compel the like from us, e'en by its joy.
 For these occasions, though so ever fraught
 With tranquil gladness, do but sign and seal
 Diplomas of our graduating years.
 They, like the billows, roll successive on,
 And we the bubbles are, they float along ;
 Now mounted on their mimic mountain crest—
 Anon poured down their slippery sides, perchance
 To break and vanish, ere they rise again.

'Tis good, along the pilgrimage of life,
 Duty's monotonous routine to leave
 Occasional, and at some favored hour
 Like this, bid memory, with magic key,
 Open the time-locked storehouse of the past.
 As wandereth the mental eye adown
 The long-drawn vista of departed days,
 How like bright clouds that float in evening glow—
 The sun-blessed islands of a summer sea—
 Magnificently lie embalmed the joys
 That long since to their shadowy burial passed.
 Or, rather, like the mountains, that at eve
 Hither and thither catch the roseate tints
 Of dying day, and smile above the dim
 And sombre landscape, in its slumberous pall.

How oft, too, in those misty twilight realms,
 Occur the wrecks of blighted prospects—hopes,
 Whose budding promised golden fruit betimes—
 Whose blighting oped the fount of many a tear.
 So to the traveler in a pleasant land,
 Whose verdure mocks decay, and whose clear streams
 Refresh its sunny slumbers, there appear
 Occasional the white memorials,
 Whose ghostly silence prompts the unconscious sigh,
 And tells that o'er the glory and the green
 The shadow passeth, for the dead are there.

But he whose feet in other days have trod
 The hallowed walks of learning ; who hath been
 Familiar with her titularities,
 From tyro Freshman to the laureate
 Of graduating Seniority,
 He hath a field in memory's domain,
 With bright imaginations richer stored,
 Than famed Golconda's deeps with princely gems.
 Give me the STUDENT's recollections—let
 His dreams be mine, whose wont was once to dream
 In college walls. And Mantua's sweet bard
 Might sing of these too—"forsan olim hæc
 Juvabit meminisse." These are dreams—
 (As saith old Scotia's Milton,* early dead,)
 "So innocent and fair that withered age
 Might, at the grave, clear up his dusty eye,
 And, passing all between, look fondly back,
 To see them once again, ere he departed."

* Pollock.

Yes—unto him who, down the long-gone past,
 Regardeth college time, no longer seems
 The early recitation, and the task
 At eve, a burden and a malison :
 The unforgotten matin-call to prayers
 Ringeth through memory's chambers, like the tone
 Of some loved melody that breathes at eve.
 Abhorred no more the venerable shades
 Of Horace and Quintilian haunt his mind.
 On Livy's visage too, that gloomed and frowned,
 When once his classic pages he profaned
 With renderings uncouth, in Freshman time,
 Now sit forgiveness and a welcome smile.
 And the old Greeks, whose roots interminate
 He once, with murmuring discourteous, traced
 Through Attic, Doric and Ionic soils,
 He recognizes now as ancient friends.
 Like honeyed words their former terrors seem ;
 And a good will hath he to doff awhile
 His classic rust, and try a "*parasang*"
 Or two with Xenophon ; a chorus join
 Perchance, with fate-blind *Œdipus* ; or scan
 A strophe from Euripides ; or e'en
 Encounter once again that famous dread
 Of all novitiates—Athens' horrid plague.
 How have these antiquated worthies lost
 The brow severe, and given to memory
 The Lethean cup, oblivious of all
 But pleasantness ! Or, rather, how hath Time,
 With wizard alchemy, blent all the past
 Into one charming picture, softening

Asperities, relumining the links
 In sweet Association's chain, where joy,
 With sunbeam brilliancy, engoldening burns !
 So mellowing distance doth the lengthened line
 Of landscape mingle with its roughnesses,
 Into one mass of velvet verdure all.

Yes, there's a charm that gilds remembrance
 Of Student life, and like the secret springs
 So rife in Orient tales, whose touch disclosed
 The hoards of genii of price untold,
 So doth this talisman, however slight
 The touch ye give it, open throw at once
 The halls of long remembrance, garnished, stored
 With thronged associations, and therewith
 Festooned, as 'twere with tapestry, and lit
 With self-born, dimless radiance forever.
 Fresh on its storied walls see, peering forth,
 And starting into mimic life, the forms
 That with us threaded Science' mazy paths,
 Long, long ago. Perchance the originals
 Wear brows all furrowed deep with early cares ;
 Or toil to gain Distinction's golden prize ;
 Or tread with errant feet where Fortune leads
 To distant climes, or o'er the mountain wave.
 Or, it may chance, the shadow of the tomb
 Hath gathered o'er their rising fame, and dimmed
 The eye of Genius and Ambition's fire.
 Yet here they live, with features fresh and fair
 As erst they wore when college days were young,
 Penciled with magic limnery, that knows

Nor death, nor dimming, nor decay. Unsought
 They tell the tale of other days, and bid
 Events long past as vividly return,
 As though they yesterday transpired. How sweet—
 More sweet than melancholy, thus to turn
 The mind upon the pictured scenes within,
 And view our boon companions there revealed
 In the flushed light and early dew of youth,
 With locks unblanched, and brows yet smoothly fair,
 Just deepening into manhood's shade ! It is
 A triumph over time—a victory
 Above decay ; and even Age may here
 Forget its nursed infirmities, and trip
 Adown the dance of youth again with smiles.

* * * * *

Bright as the morning on the mountains, glow
 The hopes of pupil generations here
 Mustered and trained to battle with the world.
 To-morrow, and old Williams ushers forth
 Another rank to swell the marshaled host
 Gone on before. We, who our armor donned,
 And heard the signal trumpet's call to march
 Full many a day "lang syne," remember well
 How loomed the visions baccalaureate
 Of life's campaign. Hope's golden fingers twined
 The fringes of our banner, and its folds
 Anticipation's breeze in joyance kissed,
 While beat our hearts the quickstep of the brave.
 In trophied splendor, far among the van,
 Gleamed bright the laurels of the "*Emeriti* ;"

Ours was the noble strife to win them too,
 And shout the song of victory on the field.
 To-morrow, and the tramp of other men,
 Banded and fresh for conflict, in our rear,
 Shall stir again the pulse, and bid it throb
 Reveillé louder than the thundering drum.
 To-morrow, new-born hopes, fresh kindled joys
 Shall tingle down the veins of other scores
 Of fresh campaigners, girt for conquest too.
 To-morrow, at Ambition's nobler fires
 Shall many a torch be lighted, which shall cast
 The beams of glory o'er the paths of mind,
 Or,—(Heaven forfend !)—be doomed to pale and wane
 In cold neglect—perchance inglorious ease,
 Or early death, ere yet the goal be won.

O 'tis unmanly—'tis black turpitude,
 The precious energies of life's brief prime
 In lucre, lust and sensuality
 To quench and drown. With wanton hand to clip
 The angel pinions of the deathless soul,
 To feed on sordid garbage—sowing wind,
 To reap the whirlwind. Duty's path is steep,
 But blest its tendency—thrice blest its end.
 Happy is he whose steadfast heart no rust
 Of shameful ease contracting, brighter grows
 Beneath the rubs of honorable toil ;
 Till, like the lamp, whose Pharos glow has lit
 A pilgrim host to safety, spent at last,
 Its latest beam throws flickeringly along
 A finished furrow.

Ye, whose kindly call
 Has bid the humble bard outpour his strain
 Among these cherished haunts of early days ;
 Ye, who the import of the mystic tie
 That binds ye, know, bear ye the witness now,
 That future years shall strengthen and ensure.
 Say—are the words mere idle vanities,
 That tell of Friendship, born in palmy youth,
 In manhood strengthened, scintillating e'en
 Like pearls, amid the wrecks of frosty age ?
 Ask him who all that holy is and true,
 And loved and honored in the light of home
 Abandoning, brushing the manly tear
 That dims his lingering vision, turns to find,
 Or *make* through obstacles his onward way :
 Or him who, from a foreign land, commits
 His fond remembrance to the star of eve
 That sinks to watch the slumbers of the loved
 Who dwell afar : or him who vigils lone
 In storm-rocked cradle on the ocean keeps :
 Or the wan sufferer in the stranger's home,
 To whom the gentlest ministrations seem
 But mockery of a mother's angel touch
 Upon his brow—these ask if nothing worth
 The bonds of brotherhood ; the sight of him
 Whose bosom glitters with the *tokened love*
 That beats beneath ? O be it ever pure,
 The emanation of a manly soul !
 Then shall it quicken intellect ; add plumes
 To Genius's pinions ; still the fevered throb
 Of life's mad pulses ; stimulate the love

Of true renown, and laurel all its fame.
 Then Worth shall its alliance crave ; its meed
 Shall Beauty yield with unreluctant smiles,
 Nor blest Religion fear a taint of ill.

The scroll of history reveals a name—
 DE LEON—(be it honored evermore !)—
 That to the aspirant should ever be
 A watchword, war-note and bright cynosure.
 Upon the fiery wings of martyrdom
 His soul found Heaven, and waits among the blest,
 While Vengeance whets her sword and bides her time.
 By scores companions of his faith were led
 To glut the Jesuit's malice at the stake.
 Calmly, and free as yet, from day to day
 He walked and mused amid the smouldering fires
 And blood-quenched embers, where the martyrs died,
 Pondering the fate his heart undaunted knew
 Might be his own—alas ! nor falsely knew.
 See here the influence certain danger hath
 Upon a mind resolved ! No fear it owns,
 Nor quails, nor blanches at the pending ill.
 Be this *our* spirit, brethren ; fearlessly
 Look we on duty, too, though fiends oppose.

So shall the history of our Brotherhood—
 Its future, as its past—like photographs,
 Be penciled by the sunbeam.

